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Docket No. JAB 1694
Serial No. 10/075,876

1624

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

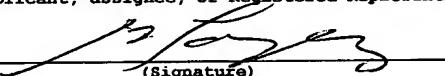
Applicants : LACRAMPE, J. F. A. et al.
Serial No. : 10/075,876
Filed : February 14, 2002
Title : Non-Steroidal IL-5 Inhibitors, Processes and Intermediate for their Preparation and Pharmaceutical Compositions Said Inhibitors
Art Unit : 1624
Examiner : BALASUBRAMANIAN, V.

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Gabriel Lopez, Reg. No. 28,440
Name of applicant, assignee, or Registered Representative)



4/22/04

(Date of Signature)

Mail stop: Non-Fee Amendment
Commissioner of Patents
Alexandria, VA 22313

Reply And Amendment Under 37 CFR 1.116

This is in response to a Final Rejection dated January 29, 2004.

The undersigned Attorney wishes to thank the Examiner for the telephonic interview on March 24, 2004 wherein the Office Action was discussed.

This application is a CIP of application 10/049,038, filed February 5, 2002, which is an application under 35 USC 371 of PCT/EP00/07358. The application claims priority from EP99870170.0, filed August 6, 1999 and EP99126035.7, filed December 27, 1999. The claim of priority was acknowledged in the Office Action dated June 18, 2003 in said parent application. Said Action also acknowledged receipt of the certified copies of the priority documents.

Therefore, a proper claim of priority has been made to applications dated August 6, 1999 and December 27, 1999.

The claims are rejected under 35 USC 102 and 35 USC 103 over EP 0987265. This document published on March 22, 2000 and, therefore, is not a reference with regard to any subject matter in the EP priority documents. With regard to subject matter in the CIP not present in the parent application, the Examiner's attention is directed to the statements made on page 35 of 35 in the Response of November 7, 2003.

An amendment to page 1 of the specification appears on page 3. The amendment up-dates the cross-reference to the parent application.

It is requested that the Examiner reconsiders the rejection in view of these remarks and that the case be passed to issue.

Respectfully Submitted



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Dated: April 22, 2004